

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
v.) Case No. CIV-10-183-Raw
)
\$12,000.00 in U.S. Currency,)
)
)
Defendant.)

JUDGEMENT AND DECREE OF FORFEITURE

This matter comes before the Court on this **1st day of September, 2010**, for consideration of Plaintiff's Motion for Decree of as to the Defendant Property, to wit: \$12,000.00 in U.S. Currency. The Plaintiff is represented herein by Assistant United States Attorney Linda A. Epperley.

No Defendant or Claimant has filed a claim, entered an appearance or otherwise answered, in person or through counsel. This Court has carefully inspected and examined the files, records, and processes herein, including Plaintiff's Complaint, and the affidavit attached thereto, and being fully advised in the premises both as to the facts and the law, finds and concludes that Plaintiff has fully sustained all of the allegations of the Complaint and that the United States is entitled to Judgment and Decree of Forfeiture.

A verified Complaint for Forfeiture *In Rem* was filed in this action on May 13, 2010, alleging that the Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 981, because the Defendant are properties was furnished or intended to be furnished in exchange for a

controlled substance, and/or were used or intended to be used to facilitate one or more violations of 21 U.S.C. § 841(a)(1).

This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1345, and § 1355(a), and *in rem* jurisdiction over the Defendant Properties pursuant to 28 U.S.C. § 1355(b), and venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1) and § 1395.

The Complaint sought forfeiture of \$12,000.00 in U.S. Currency.

Notice of this civil forfeiture action against the defendant property was published for 30 consecutive days on an official Government internet site (www.forfeiture.gov) beginning on June 12, 2010, as evidenced by the Notice of Declaration of Publication filed with this court on August *, 2010. A written notice of civil forfeiture with a copy of the verified complaint *in rem* was sent via certified United States mail on May 16, 2010, to the persons listed in the Government's Certificate of Service, filed with this court on August *, 2010. These notices meet the requirements set forth in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Federal Rules of Civil Procedure for notifying defendant and potential claimants of this action..

All persons and/or entities interested in the Defendant Property were required to file claims within: (a) 30 days after actual notice; or (b) 35 days after the date notice is sent, (c) or 60 days after the first day of publication on an official internet government forfeiture site, whichever occurred first, and were required to file answers to the Complaint within twenty (20) days after filing their respective claims, according to Supplemental Rule G. No claims or answers have been filed of record as to said Defendant Properties, and the time for presenting claims and answers has expired.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the \$12,000.00 in U.S. Currency be, and hereby is, forfeited to the United States of America for disposition according to law, and shall be deposited forthwith by the United States Department of Justice into the Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

Entered this 1st day of September, 2010.



Ronald A. White
United States District Judge
Eastern District of Oklahoma

SUBMITTED BY:

s/Linda A. Epperley
LINDA A. EPPERLEY, OBA #12057
Assistant United States Attorney